



OLENE S. WALKER  
Governor  
GAYLE F. McKEACHNIE  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

### Division of Oil, Gas & Mining

ROBERT L. MORGAN  
Executive Director

LOWELL P. BRAXTON  
Division Director

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Notice of Violation ☐ No. \_\_\_\_\_  
Cessation Order ☒ No. MC-04-01-04(1)

CERTIFIED RETURN RECEIPT # 7099 3400 0016 8896 1232

To the following Permittee or Operator:

Permittee/Operator Name: Tintic Utah Metals, LLC

Mine Name: Apex/Burgin Project ☐ Surface ☒ Underground ☐ Other

County: Utah State: Utah Telephone Number: 215-546-8585

Business Address: 1629 Locust St. Philadelphia, PA 19103-6304

Permit Number: M/049/009

Ownership Category: ☐ State ☐ BLM ☐ USFS ☒ Fee ☐ Other

Date of Inspection: N/A Time: \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ ☐ a.m. ☐ p.m.

Under authority of the Utah Mined Land Reclamation Act, Section 40-8-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas, and Mining has conducted an inspection of above mine on above date and has found that a Notice of Violation or Cessation Order must be issued with respect to the conditions, practices, or violations listed. In accordance with Section 40-8-9, *Utah Code Annotated*, you are ordered to cease immediately the operations or activity described and to perform the required actions described within the designated time for abatement.

The undersigned representative finds that this order ☒ does require cessation of all mining;  
☐ does not require cessation of all mining.

For this purpose, "mining" means development of, or extraction of a mineral deposit, including transportation within or from the mine site, concentrating, milling, evaporation, or other processing. Mining and/or reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

This order shall remain in effect until it is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas, and Mining.

Date of service/mailling: Oct. 8, 2004 Time of service/mailling 10:30 ☒ a.m. ☐ p.m.

Richard Schreiber  
Permittee or Operator Representative

Attorney, Tintic Utah Metals  
Title

Signature

Lynn Kunzler  
Division of Oil, Gas & Mining Representative

Environmental Scientist/Reclamation Biologist  
Title

Signature

SEE REVERSE SIDE

**Notice of Violation / Cessation Order NO. MC-04-01-04(1)**

Violation No. 1 of 1

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Nature of condition, practice, or violation:

Failure to pay annual permit fee.

Provisions of act, regulations, or permit violated:

UCA 40-8-7(1)(i)

R647-4-101(5) and (5.12)

(Check box if appropriate:)

- ☐ Condition, practice, or violation is creating an imminent danger to health or safety of the public.
- ☐ Permittee/Operator is/has been conducting mining activities without a permit.
- ☐ Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.
- ☐ Permittee or Operator has failed to abate Violation(s) No. \_\_\_\_\_ included in Notice of Violation No. or Cessation Order No. M \_\_\_\_\_ within time for abatement originally fixed or subsequently extended.

Mining activity to be ceased immediately:

All mining related activities.

Affirmative obligation(s) or required action and abatement time (if applicable):

Within 14 days of receipt of this notice, pay current and delinquent permit fees totaling \$2,000.00 to the Division.

(Delinquent fees total \$1000.00, current fees total \$1000.00)

jb

cc: Daron Haddock, DOGM  
File

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